Minutes

## Call

Prior to calling the meeting to order, all those in attendance who intended to record the proceedings were called to stand and be recognized. Then, in the absence of a chair, the meeting was called to order at 5:45 PM by the Authority Executive Director and Secretary. Present were: Chris Bator, Kathleen Born, Conrad Crawford, Margaret Drury, Barry Zevin and Joseph Tulimieri, Executive Director and Secretary. Also present were Sandra Shapiro and Jeff Mullan of Foley Hoag LLP, and Brian Murphy, Assistant City Manager for Community Development, Michael Cantalupa and Kevin Sheehan from Boston Properties, and its Architect.

Binders containing background materials for this meeting, including supporting documentation for the votes expected to be recommended during the meeting, were presented to each of the members before the meeting.

Mr. Tulimieri extended welcome remarks and those present introduced themselves. He went on to introduce Brian Murphy who spoke briefly about the Authority and the Kendall Square Urban Renewal Project as providing the initial stimulus for the tremendous growth in the information technology, life sciences, energy and biotechnology sectors. Mr. Murphy went on to describe the importance of the proposed Google expansion in the Kendall Square area and to the City. Mr. Tulimieri provided the Board with an overview of the Authority and its development projects and accomplishments.

## Election of Officers

Mr. Tulimieri explained that the Authority Bylaws provide for the election of a Chair, Vice Chair, Treasurer, Assistant Treasurer, and Assistant Secretary. Mr. Tulimieri, as Secretary, opened nominations. After a series of votes, a slate of officers was presented, as follows:

Kathleen Born, Chair Margaret Drury, Vice Chair Chris Bator, Treasurer Conrad Crawford, Assistant Treasurer Barry Zevin, Assistant Secretary

Mr. Tulimieri suggested that the Board instruct Mr. Tulimieri as Secretary to cast one vote for the slate of officers as presented. The Board duly confirmed the slate of officers as presented. The Chair then conducted the meeting.

#### **Public Comments**

Mr. Tulimieri reported that a protocol for public comments was provided to the Board. The protocol was noted and the Chair opened the floor for public comment noting that a signup sheet for the general public had been provided. The attached materials were entered into the record. The Chair indicated that the Board may provide additional opportunity for public comment during the meeting.

## Related Background

The Authority is represented by Foley Hoag, as Authority Counsel. Jeffrey Mullan, of Foley Hoag provided a report on the requirements of the Open Meeting Law. All members were provided a receipt for execution. Authority Counsel reviewed the exceptions including emergency meetings. He noted that all meetings require 48 hours notice to be posted at the City Clerk's office. The Authority discussed posting of meetings, including posting on the City's website. The Board suggested that the Authority try to give a one week notice; that posting on the Community Development website be explored; and that the "Outline Agenda" accompany the Notice.

Mr. Mullan reviewed a summary of the Conflict of Interest Law for municipal employees, indicating that Authority Members are "special municipal employees." As such, Authority Members are required to receive annually a copy of the law and to participate in an online training program every two years. A sample of the 2011 notice was provided to the Members.

#### Minutes

On a motion to receive the Minutes it was unanimously:

<u>Voted</u>: to receive the Minutes of the previous Authority meeting as presented to the Members of the Authority: March 17, 2010.

## KSURA/Parcel 4

Mr. Tulimieri presented a report on the Google transaction including the actions taken by the City Council on March 19, 2012 and a matrix showing the City and Authority actions in connection therewith.

Mr. Tulimieri then introduced Michael Cantalupa and Kevin Sheehan, representing Boston Properties and its Architect. Mr. Cantalupa described the project which consists of connectors between the 3, 4 and 5 Cambridge Center buildings: a four story connector between 3 CC and 5 CC and a two story connector between 4 CC and 5 CC. The total new gross floor area is approximately 42,000 SF. Mr. Cantalupa noted that there will be a ground floor arcade having entrances to 3 CC and 5 CC and having one or more retail components. He went on to explain

that the location of the connector will preserve approximately 25,000 SF of the 43,000 SF rooftop garden with both public access points (with elevators) preserved. He also showed a plan indicating that there was no impact on the ability to build a future residential building on Ames Street. Mr. Sheehan described the connectors using four boards entitled, as follows:

- 1. Level 1 Floor Plan
- 2. Terrace Garden with Parking Garage Roof
- 3. View of Connector from Main Street
- 4. Ground Floor Perspective

The report on the Google transaction was noted.

Mr. Tulimieri presented two advertisements to be published in the Boston Globe and the Cambridge Chronicle for two consecutive weeks indicating that the Authority proposes to consider disposition of two parcels consisting of 12,600+/- SF and 50,000 +/- SF for open space uses to Boston Properties and the City of Cambridge, respectively.

The proposed language was modified and on a motion, it was unanimously:

<u>Voted:</u> to approve the publication of Public Notices in the Boston Globe and the Cambridge Chronicle indicating the Authority's consideration to dispose of two land parcels consisting of 12,600 +/- SF and 50,000 +/- SF for open space uses to Boston Properties and the City of Cambridge, respectively.

After discussion, it was unanimously:

<u>Voted</u>: to table Agenda Items #9 (SLDC and Deed with Boston Properties); #10 (Letter Agreement and Deed with the City of Cambridge) and #11 (First Amendment to the Easement Agreement).

A report by Mr. Tulimieri describing the Authority Design Review process, submission requirements and timelines was noted.

A report on the Schematic Design Phase Submission, dated April 19, 2012; the results of the design review session; and a proposal letter of conditional approval were duly noted. After discussion, it was unanimously

<u>Voted</u>: to table Agenda Item #14.

## Administrative Actions

After discussion surrounding the placement of public notice of meetings and the length of advance time prior to the meeting it was:

Voted: to ratify, affirm and approve the Public Information Requests protocol and

<u>Voted</u>: to cause the notice including an Outline Agenda to be posted at the Clerk's Office; to appear on the City website (calendar) and, if possible, at the Community Development Department website and

<u>Voted</u>: to attempt to have the notice posted seven days in advance of all meetings when practicable, recognizing that a minimum of 48 hours notice is required.

The Chair requested a motion to form a Finance Committee consisting of the Treasurer and Assistant Treasurer to consider the annual audit and the finances of the Authority. After a motion, it was

Voted: to form a Finance Committee and

<u>Voted</u>: to advertise a Request for Proposal to conduct an annual Audit.

#### Other Business

A report on the City Council Government and Operations Rules Committee scheduled for June 5, 2012 at 10AM at City Hall was noted.

The Chair opened the meeting up to public comment and discussion and those persons on the attached list spoke.

Just prior to Adjournment the next two meetings were scheduled:

- Wednesday, June 20th, 5:30, Marriott, Two Cambridge Center, Discovery Room
- Wednesday, July 18th, 5:30, Marriott, Two Cambridge Center, Endeavor Room

## Adjournment

It was voted to adjourn at 9:05 PM.

## ASSOCIATION OF CAMBRIDGE NEIGHBORHOODS c/o 213 Hurley Street Cambridge, Massachusetts 02141

May 17, 2012

Board of Directors Cambridge Redevelopment Authority One Cambridge Center, Fourth Floor Cambridge, Massachusetts 02142

Dear Mr. Bator, Ms. Born, Mr. Crawford, Ms. Drury and Mr. Zevin:

We welcome you as members of a full complement of CRA Board members. As you know, with no quorum possible for the past two years, and hence no board meetings, decisions were made without votes, hearings or citizen input. Two of the most recent decisions, the Microsoft sign and the deal to allow Boston Properties to take almost half of the public roof garden for a two-story building, were made with no consultation at all with the people who live and work in the immediate area. These very controversial decisions, and the way they were made, have tarnished the CRA's reputation. Your task is to make a new start and create the credibility that will once again make you a valued part of the Cambridge community.

We understand that you will be reviewing and discussing these decisions in the coming weeks. We expect that you will solicit input from those most affected. We believe that, at the very least, the Board must hold public hearings on these matters. Providing a forum for people to express their opinions openly will greatly improve the quality of the decisions you make and will enable you to play your part in making Cambridge an even better place to live, work and play.

Thank you for your consideration.

Very truly yours,

Heather Maguire Hoffman, co-president

To:

Cambridge Redevelopment Authority

Subject:

hold public hearings on the Microsoft sign and the rooftop garden

Letter:

Greetings,

I just signed the following petition addressed to: Cambridge Redevelopment Authority.

Dear Mr. Bator, Ms. Born, Mr. Crawford, Ms. Drury and Mr. Zevin:

We welcome you as members of a full complement of CRA Board members. As you know, with no quorum possible for the past two years, and hence no board meetings, decisions were made without votes, hearings or citizen input. Two of the most recent decisions, the Microsoft sign and the deal to allow Boston Properties to take almost half of the public roof garden for a two-story building, were made with no consultation at all with the people who live and work in the immediate area. These very controversial decisions, and the way they were made, have tarnished the CRA's reputation. Your task is to make a new start and create the credibility that will once again make you a valued part of the Cambridge community.

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Thank	you	for	your	consideration.

Sincerely,

# Signatures

Name	Location	Date
Heather Hoffman		2012-05-18
Emily Peters	Cambridge, Massachusetts, United States	2012-05-18
Len Tower	Somerville, Massachusetts, United States	2012-05-18
Colin McSwiggen	Cambridge, Massachusetts, United States	2012-05-18
Amanda Diehl	hyannis, Massachusetts, United States	2012-05-18
Janet Crystal	Cambridge, Massachusetts, United States	2012-05-18
Patti Polisar	Cambridge, Massachusetts, United States	2012-05-18
Cortney Kirk	Cambridge, Massachusetts, United States	2012-05-18
Nita Sembrowich	Cambridge, Massachusetts, United States	2012-05-18
Wileen Kao	Cambridge, Massachusetts, United States	2012-05-18
paula te	brooklyn, New York, United States	2012-05-18
Mark Jaquith	Cambridge, Massachusetts, United States	2012-05-18
Ryan Kobrick	Cambridge, Massachusetts, United States	2012-05-18
Anne Kern	Cambridge, Massachusetts, United States	2012-05-18
Rutuparna Das	Cambridge, Massachusetts, United States	2012-05-18
Andreas Peters	Cambridge, Massachusetts, United States	2012-05-18
Ilya Shlyakhter	Cambridge, Massachusetts, United States	2012-05-18
Leo Ng	Cambridge, Massachusetts, United States	2012-05-18
Susan Harrison	Cambridge, Massachusetts, United States	2012-05-18
Larry Stone	cambridge, Massachusetts, United States	2012-05-18
Grzegorz Calkowski	Winchester, Massachusetts, United States	2012-05-18
Melissa Hunt	Cambridge, Massachusetts, United States	2012-05-18
Seth Teller	Cambridge, Massachusetts, United States	2012-05-18
Katherine Obermeyer	Wellesley, Massachusetts, United States	2012-05-18
Katherine Obermeyer	Boston, Massachusetts, United States	2012-05-18
Sara Pickett	Cambridge, Massachusetts, United States	2012-05-18
Elie Yarden	Cambridge, Massachusetts, United States	2012-05-18
Cody Daniel	San Francisco, California, United States	2012-05-18
Zac Cicala	Cambridge, Massachusetts, United States	2012-05-18
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Name	Location	Date
Ying Zhang	Cambridge, Massachusetts, United States	2012-05-19
Pratiksha Thaker	Cambridge, Massachusetts, United States	2012-05-19
rhonda massie	cambridge, Massachusetts, United States	2012-05-19
Kevin White	Cambridge, Massachusetts, United States	2012-05-19
Jennifer Li	Cambridge, Massachusetts, United States	2012-05-19
Kasia Hayden	Allston, Massachusetts, United States	2012-05-19
Jonathan Perry	Cambridge, Massachusetts, United States	2012-05-19
Jason Ansel	Cambridge, Massachusetts, United States	2012-05-19
Adam Kraft	Cambridge, Massachusetts, United States	2012-05-19
Sue Felshin	Concord, Massachusetts, United States	2012-05-19
Maciej Pacula	Cambridge, Massachusetts, United States	2012-05-19
Marzyeh Ghassemi	Cambridge, Massachusetts, United States	2012-05-19
Chia Evers	Cambridge, Massachusetts, United States	2012-05-19
Andrew Freese	Cambridge, Massachusetts, United States	2012-05-19
Jin Zhang	Cambridge, Massachusetts, United States	2012-05-19
Jonathan Slocum	Cambridge, Massachusetts, United States	2012-05-20
Robert Altshuler	Medford, Massachusetts, United States	2012-05-20
Samina Ali	Cambridge, Massachusetts, United States	2012-05-20
Sergio Burdiles	Cambridge, Massachusetts, United States	2012-05-20
Micah Brodsky	Cambridge, Massachusetts, United States	2012-05-21
eugene wu	Cambridge, Massachusetts, United States	2012-05-21
Patrice Macaluso	Cambridge, Massachusetts, United States	2012-05-21
Charlotte Gopinath	Cambridge, Massachusetts, United States	2012-05-21
pol ypod	Cambridge, Massachusetts, United States	2012-05-21
Glenn McElhoe	Cambridge, Massachusetts, United States	2012-05-21
Sundeep Nallamilli	Cambridge, Massachusetts, United States	2012-05-21
Meagan Shannon	Cambridge, Massachusetts, United States	2012-05-21
Matthew Wendorf	Cambridge, Massachusetts, United States	2012-05-21
Ron Passerini	Somerville, Massachusetts, United States	2012-05-21
Thomas Evans	Watertown, Massachusetts, United States	2012-05-21

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Name	Location	Date
Eric Twietmeyer	Belmont, Massachusetts, United States	2012-05-21
Ryan Lewis	Cambridge, Massachusetts, United States	2012-05-21
Brian Partridge	Cambridge, Massachusetts, United States	2012-05-21
Zach Shepherd	Cambridge, Massachusetts, United States	2012-05-21
Ewa Calkowska	Winchester, Massachusetts, United States	2012-05-21

## Why People Are Signing

Nita Sembrowich

- 3 days ago
- 2 people like this reason

It's incredible that these controversial decisions were "approved" by an agency without a board of directors, and with no public input. This seems increasingly to be business as usual in Cambridge.

Susan Harrison

- 3 days ago
- 2 people like this reason

I agree with a previous signer, it is stunning to think that these controversial decisions were "approved" by one person, or city department, without the board in place, and without public input.

Ilya Shlyakhter

- 3 days ago
- 2 people like this reason

This garden is a true gem of the neighborhood. When I show guests around the area, I always share the garden. There is simply nothing else like it nearby. Please don't alter it.

Seth Teller

- 3 days ago
- 1 person likes this reason

Development as significant as this clearly requires a public hearing. Don't shortchange the process.

Elie Yarden

- 3 days ago
- 1 person likes this reason

Little in what has happened thus far is surprising. Government used as an instrument to transfer wealth from the less to the more affluent is the origin of oligarchy. In Cambridge, a vigilant citizenry is the only barrier.

Mark Jaquith 3 days ago 1 person likes this reason

The CRA has eroded public trust in government by acting without proper authority and review of its decisions for two years. Hearings and proper review could repair much of this damage. Letting them know that the public is interested and paying attention to what they do will help them to make better decisions an what to do with public property and to act in the public interest.

Sue Felshin 2 days ago 1 person likes this reason

The roof garden is a unique resource in this urban environment and irreplaceable at ground level. Everywhere in the area, the street level is extremely noisy -- we need this oasis at the heart of Kendall Square. It's outrageous that the Cambridge Redevelopment Authority would allow this public resource to revert to private use without following due process. And without good reason as well: a narrow glass-walled corridor could be built along one end of the rooftop, taking less than a tenth of the area, leaving the rest of the roof garden intact and undivided, and preserving sunlight and views, while connecting the two adjacent buildings for the convenience of building employees.

Jonathan Perry 3 days ago

The rooftop garden is an important part of the Kendall Square city scape. Please do not take it away from the public.

Anne Kern 3 days ago

Please don't take away this lovely, life-giving oasis of green.

rhonda massie 3 days ago

It's not only the decisions that have been made in the last couple of years. Why was Boston Properties allowed to put open space on the top of a building in the first place, instead of at ground level, and why did the CRA allow a time limit (40 years) after which the public could be barred from the roof garden entirely?

Jennifer Li 3 days ago

the garden is fantastic.

Grzegorz Calkowski about 1 hour ago

Because Google is arrogant and self-centered ("don't be evil", remember that?). Why not consider a smaller footprint publicly accessible bridge between the 5 Cambridge Center and the garage and a covered walkway to the other building? That way not only Googlers could avoid the suffering of getting rained on while moving between buildings, but other tenants would have easier access to the garden.

Also did they consider that the addition will essentially box in the remaining half of the garden limiting sunlight reaching the vegetation? The rest of the garden will be gone soon after.

Zach Shepherd about 1 hour ago

Regardless of the details of this specific situation, making such a decision without involving the public and other tenants of Kendall Square seems to set a dangerous precendent.

Chia Evers 2 days ago

I live across the street from the Kendall Square/MIT MBTA Station, and the Microsoft sign lights up my living room so brightly that I can almost read by it.